

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WAQAR Q. MIAN, *et al.*,

Plaintiffs,

Case No. 22-cv-10212

Hon. Matthew F. Leitman

v.

MAZHAR JAFFRY, *et al.*,

Defendants.

**ORDER (1) VACATING ORDER TO SHOW CAUSE (ECF No. 7), (2)
GRANTING APPLICATION TO PROCEED *IN FORMA PAUPERIS* (ECF
No. 2), AND (3) DISMISSING COMPLAINT WITHOUT PREJUDICE**

On February 3, 2022, Plaintiff Waqar Q. Mian filed this *pro se* action against Defendants Mazhar Jaffry, Prime Accountable Care West LLC, Prime Accountable Care LLC, Prime Toxicology LLC, Mid Michigan Medicine PC, and Tazeen Ahmed MD.¹ (*See* Compl., ECF No. 1.) Mian appears to allege that Defendants, among other things, “locked [him] out of [his] bank account and tried to force” him to sell his business to them “with aggressive tactics.”² (*Id.*, PageID.19.)

¹ It also appears that Tricity Laboratory, LLC and Prime PO, LLC may also be proceeding as Plaintiffs in this action, but that is not entirely clear from the face of the Complaint.

² Mian has also filed an application to proceed *in forma pauperis* in this action. (*See* Application, ECF No. 2.) The Court has reviewed the application and **GRANTS** it due to Mian’s indigence.

The Court reviewed Mian's Complaint in connection with his application to proceed *in forma pauperis*, and it concluded that Mian had not pleaded sufficient facts to allow the Court to determine whether it had subject-matter jurisdiction over this action. (*See* Show Cause Order, ECF No. 7.) More specifically, while Mian appeared to invoke the Court's diversity jurisdiction, he had failed to properly plead the citizenship of the Defendants. (*See id.*, PageID.49.) The allegations of record were therefore insufficient to establish the Court's diversity jurisdiction.

Accordingly, on June 15, 2012, the Court issued an order directing Mian to either (1) show cause in writing why the Court should not dismiss his Complaint for lack of subject-matter jurisdiction or (2) file an Amended Complaint providing sufficient factual support for the Court's subject-matter jurisdiction (the "Show Cause Order"). (*See id.*, PageID.51.) The Court required Mian to respond to the Show Cause Order by no later than July 18, 2022. (*See id.*)

Mian has not responded to the Show Cause Order or filed an Amended Complaint. Nor has Mian contacted the Court to ask for additional time to respond to the Show Cause Order. Thus, Mian has failed to comply with the Show Cause Order, and he has failed to establish that this Court has subject-matter jurisdiction over his claims.

Therefore, for the reasons explained above, **IT IS HEREBY ORDERED** that (1) Mian's application to proceed *in forma pauperis* (ECF No. 2) is **GRANTED**, (2) the Show Cause Order (ECF No. 7) is **VACATED**, and (3) Mian's Complaint (ECF No. 1) is **DISMISSED WITHOUT PREJUDICE** for failure to comply with the Court's orders and failure to establish the Court's subject-matter jurisdiction.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: September 14, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on September 14, 2022, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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